

NOTE: THIS IS RESEND with revised line spacing and
Clarification Reference DOCKET # 04-233

January 3, 2005

Secretary, FCC Commissioners, and Chief, Media Bureau
FEDERAL COMMUNICATIONS COMMISSION (FCC)
Washington, D.C. 20554

RE: MB DOCKET # 04-233 regarding BROADCAST LOCALISM

(past reference: In the Matter of Creation and Expansion of a Low Power Radio
Service Experimental Measurements of the Third Adjacent Channel Impacts of Low
Power FM Radio Stations (MM Docket No. 99-25 and Public Notice 03-2277)

Dear Mr. Secretary and Members of the Commission:

I am writing today on behalf of the City Heights Community Development
Corporation ("CHCDC") to urge that you provide the necessary rules and
authorization for Low Power FM Radio to be created in the City Heights community
of San Diego, California.

I understand that engineering studies ("MITRE") have been completed which
confirms that that Low Power FM radio does not cause interference with existing
broadcasts, when it exists on the third adjacent channel to those broadcasts.

"CHCDC" conducted the necessary engineering studies years ago to accompany an
application for a Low Power FM Station to serve the community of City Heights.
We have not been apprised of the status of that application in the subsequent
years.

We have been apprised of the hearings and considerations by the FCC and it is
our understanding that you are now considering reinstituting the opportunity
that was promulgated originally and to which we had responded.

We thank you for your consideration and encourage the Federal Communications
Commission and our elected representatives to expand the Low Power FM Radio
Service.

It is our understanding that in testimony before Congress, the National
Association of Broadcasters (NAB) had complained that the FM radio dial would be
drowned in "an ocean of interference." But the MITRE study authors found so
little evidence of potential interference that they chose not to implement some
later stages in the study -- such as an economic impact study and subjective
listening tests -- that would only have been necessary if interference had been
proven. The MITRE corporation even goes so far as to recommend that LPFM be
instituted on that third-adjacent frequency.

FCC Secretary, Commissioners, Chief, Media Bureau
Docket # 04-233 Broadcast Localism
January 3, 2005
Page 2 of 3

REVISED LINE SPACING

"CHCDC" is a non profit public benefit California private corporation founded by residents of this community in 1981 to address the significant dis-investment and consequent blight in one of San Diego, California's oldest communities. Since that date an extraordinary migration of has occurred such that City Heights has adopted the title "International Village" for its signature day long celebration every June for the past 12 years.

There are over 30 languages spoken in the homes, workplaces, playgrounds, places of worship and schools of City Heights. There are over 90,000 residents in City Heights proper with easily that many more residents (a total of nearly 200,000 people) within the radius of proposed Low Power FM Radio transmissions.

City Heights is uniquely located to take advantage of this opportunity. The name connotes the geography of a high ground area and indeed City Heights is on a plateau serving the radius of population previously described.

Please imagine the extraordinary benefits to the largely lower income immigrant and refugee population of this area of having a local low power radio station to provide news and discussion in a variety of key languages. The highest number of languages and cultures represented are Spanish, English, Vietnamese, Somali (and other East African).

CHCDC main and program offices are co-located in city Heights with an officially designated (US Department of Commerce) Community Technology Center in the San Diego State University (SDSU) "DeDe Alpert Center for Community Engagement". These offices are within one hundred feet of the transmitter location identified by engineering studies we provided with our original application.

The Community Technology Center is the hub of a Network that includes satellite computer study centers in quality affordable rental housing operated by CHCDC. CHCDC operates over 750 units of this housing at over 50 distributed site locations in the greater Mid City San Diego area within range of a Low Power FM station.

The City Heights, Mid City area includes two high schools. One of the schools, Herbert Hoover High School is a designated Academy of Information Technology. Many of the students are taught on campus and at the co-located CTC.

FCC Secretary, Commissioners, Chief, Media Bureau
Docket # 04-233 Broadcast Localism
January 3, 2005
Page 3 of 3

REVISED LINE SPACING

City Heights is an area that is now prospering and including families of low income and extraordinary cultural and linguistic diversity in that wealth building. The youth are improving their education and opportunities in the broadcast and technology sectors would be greatly enhanced by their participation in a community-based, Low Power FM Radio station.

Several comments you have received from major broadcasters and operators of translator stations in response to your discussions of "Broadcast Localism" complain of interference that may be caused by Low Power FM Radio stations. The technical studies completed by MITRE refute this assertion. The need for local, community-based and operated stations to have precedence in the assignment of

frequencies for low power FM should have precedence over re-transmission (translators) of pre-programmed radio.

In City Heights we have a strong need for true "translator" stations, providing a variety of cultural programming and news "translated" into a variety of key languages. The allocation of the needed narrow radio band resource at a relatively short distance for this purpose would be a far better investment of the public airwaves.

Many large media consortiums have commented and offered their commitment to "localism." Their definition of "local" and "community" is on a much larger and less effective scale than that proposed to be served by community-based, low power FM radio stations. We understand that a quantum of effectiveness is a necessary consideration for the FCC and for investors in the actual stations. We believe that the International Village of City Heights and adjacent communities comprising nearly 200,000 residents represents a quantum of maximum effectiveness for this purpose.

Thank you again for your consideration and we look forward to hearing from the Commission regarding the future opportunities for Low Power FM COMMUNITY Radio that may be available to the residents of City Heights. I can be contacted at (619) 584-1535 x 110 or jpowell@cityheightscdc.org.

Sincerely,

HC Jay Powell, CHCDC Executive Director
City Heights Community Development Corporation
4283 El Cajon Boulevard, Suite 220
City Heights, San Diego, California 92105-1289

cc CHCDC Board of Directors
CHCDC file: 80/Community Outreach/RadioCityHeights2000/ Comment to
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